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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO.   |
|---|-------------|----------------------|---------------------|--------------------|
| 10/667,059  | 09/22/2003  | Xiaocheng Ran        | USP2148A-XR         | 7843               |
| 7590  | 08/11/2004  |                      | EXAMINER            |                    |
| Raymond Y. Chan<br>Suite 128<br>108 N. Ynez Ave.<br>Monterey Park, CA 91754 |             |                      |                     | MORAN, KATHERINE M |
|   |             | ART UNIT             |                     | PAPER NUMBER       |
|   |             | 3765                 |                     |                    |

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                               |                     |  |
|------------------------------|-------------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b>        | <b>Applicant(s)</b> |  |
|                              | 10/667,059                    | RAN, XIAOCHENG      |  |
|                              | Examiner<br>Katherine M Moran | Art Unit<br>3765    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 30 June 2004.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 22 September 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

Applicant's amendment of 6/30/04 has been received and reviewed. Applicant amended claims 1-3 and submitted arguments in response to the Office Action.

### ***Specification***

1. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: 3-dimensional treatment member.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Leach (U.S. 6,604,244). Leach '244 discloses the invention as claimed. Leach teaches a glove 10 for treating a work surface comprising a glove body having a palm portion 14 and finger portions 15 extended therefrom, and a surface treatment arrangement comprising a treatment pad 19 provided at a palm portion of the glove body, adapted to provide a first treating action, and a 3-dimensional treatment member 21 adapted to provide a second treating action, comprising a fastener 29 adapted to fasten the treatment pad so as to retain the treatment member at the palm

portion of the glove body. The treatment pad comprises hook or loop fastener (col.2, lines 23-25) having an inherent and predetermined coarseness which would lend itself to a scouring action. The treatment member comprises steel wool, sandpaper, or sponge material. Accordingly, the coarseness of the treatment member will differ from that of the treatment pad. For example, if the treatment pad was hook or loop and the treatment member was sandpaper, the treatment member would provide a more coarse sanding action. The treatment pad is attached at both upper and lower sides of the palm portion such that the treatment member is detachably mounted at the lower and upper sides of the palm portion and could be positioned in various configurations depending upon the user's desires. The treatment member is cut into a predetermined size and shape to detachably fasten with the treatment pad so as to fit on the palm portion of the glove body.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leach '244 in view of Borucki-Mastej (Borucki, U.S. 6,000,060). Leach discloses the invention substantially as claimed. However, Leach does not teach a treatment member made of hook fastener having predetermined coarseness adapted to perform a rubbing action as said second treating action such that the fastener is integrally formed as the treatment member to detachably

fasten with the treatment pad. Leach teaches that steel wool may be used as working surface of the treatment member. Steel wool is of a similar structure as that of hook fastener. Borucki '060 teaches a glove 10 with a body portion integrally formed of a hook or loop fastener material 20 and detachably mounted to a mateable attachment 22, with the body portion adapted to perform a rubbing action. Borucki's glove shows that hook and loop material is viewed as a sufficiently abrasive material. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to form Leach's treatment member of a hook material to eliminate the need for additional manufacturing steps involved in providing the treatment member with an additional attachment or layer.

*Response to Arguments*

6. Applicant's arguments filed 6/30/04 have been fully considered but they are not persuasive. Applicant argues that Leach '244 does not teach a glove that can provide two different treating actions, with the treatment pad providing a first treating action when the treatment member is detached from the glove body and the treatment member provides a second treating action for treating the work surface when the treatment member is attached to the glove body. The Examiner's position, as outlined above, is that Leach's treatment pad 19, in the form of hook or loop material, would provide a first treating action if applied to a work surface, and the working side of the treatment member 21, in the form of a sponge, sandpaper, or steel wool, would provide a second treating action when attached to the pad 19. Applicant also argues that Leach does not teach a 3-dimensional treatment member. Leach's treatment member is 3-dimensional in that it inherently has a length dimension, a width dimension, and a thickness.

Finally, Applicant argues that modifying Leach with Borucki-Mastej would not provide the invention as claimed. Borucki is relied upon for a teaching of a glove provided with a hook fastener used as a treatment member for providing a treating action. It is a reasonable modification to modify the steel wool member of the Leach glove with the hook material taught by Borucki, especially in light of the fact that Leach teaches a mateable loop component fastened to the glove's palm.

*Conclusion*

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Katherine Moran at (703) 305-0452. The examiner can be reached on Monday-Thursday from 8:30 am to 6:00 pm, and alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert, may be reached at (703) 305-1025. The official and after final fax number for the organization where this application is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kmm

August 7, 2004



Katherine Moran

Primary Examiner, AU 3765